
By: **Delegate Vallario**
Introduced and read first time: February 8, 2001
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Sentencing - Sentencing to the Division of Correction - Exceptions**

3 FOR the purpose of providing an exception to the requirement that sentences be of at
4 least a certain length for an individual to be sentenced to the Division of
5 Correction if a conviction and sentence to the Division of more than a certain
6 length resulted in a revocation of probation and an additional sentence of less
7 than a certain length for a prior offense; and generally relating to sentences to
8 the Division of Correction.

9 BY repealing and reenacting, with amendments,
10 Article - Correctional Services
11 Section 9-104
12 Annotated Code of Maryland
13 (1999 Volume and 2000 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Correctional Services**

17 9-104.

18 (a) This section does not apply to an individual sentenced in Baltimore City.

19 (b) Notwithstanding any other law, a judge may not sentence an individual to
20 the jurisdiction of the Division for 12 months or less unless:

21 (1) (I) the sentence is for an offense committed by an inmate in a
22 correctional facility under the jurisdiction of the Division; OR

23 (II) THE CONVICTION AND SENTENCE OF MORE THAN 12 MONTHS
24 TO THE DIVISION RESULTED IN A REVOCATION OF PROBATION AND AN ADDITIONAL
25 SENTENCE OF 12 MONTHS OR LESS FOR A PRIOR OFFENSE; and

26 (2) the inmate is still under the jurisdiction of the Division.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2001.